

# 9  
SP

01-09-04

Attorney Docket No. C2003-700110

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

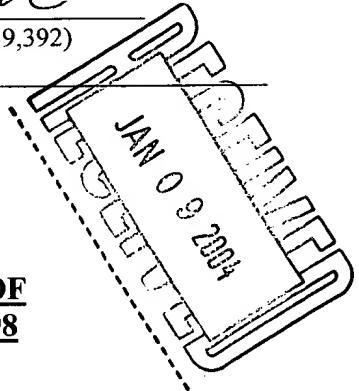
Applicant: Shintaro Asano  
Serial No.: 09/802,093  
Confirmation No.: 4936  
Filed: March 8, 2001  
For: METHOD AND SYSTEM FOR REMOTELY BACKING  
UP A COMPUTER MEMORY UTILIZING A GLOBAL  
COMMUNICATIONS NETWORK  
Examiner: Y. Wilson  
Art Unit: 2184

CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a)

The undersigned hereby certifies that this document is being placed in the United States mail, with first-class postage attached, addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the 23rd day of December, 2003.

  
Thomas M. Sullivan, Esq. (Reg. No. 39,392)

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

STATEMENT FILED PURSUANT TO THE DUTY OF  
DISCLOSURE UNDER 37 CFR §§1.56, 1.97 AND 1.98

Sir:

Pursuant to the duty of disclosure under 37 C.F.R. §§1.56, 1.97 and 1.98, the Applicant requests consideration of this Information Disclosure Statement.

PART I: Compliance with 37 C.F.R. §1.97

This Information Disclosure Statement has been filed more than three months after the filing date of this application and after the mailing date of the first Office Action, but before the mailing date of either a final action under 37 C.F.R. §1.113 or a Notice of Allowance under 37 C.F.R. §1.311, or an action that otherwise closes prosecution in this application.

The fee of \$180.00 as set forth in 37 C.F.R. §1.17(p) is enclosed.

01/05/2004 KBETEMA1 00000090 09802093

01 FC:1806

180.00 OP

Applicant: Shintaro Asano  
U.S.S.N.: 09/802,093

PART II: Information Cited

The Applicant hereby makes of record in the above-identified application the information listed on the attached form PTO-1449 (modified). The order of presentation of the references should not be construed as an indication of the importance of the references.

PART III: Remarks

Documents cited anywhere in the Information Disclosure Statement are enclosed unless otherwise indicated. It is respectfully requested that:

1. The Examiner consider completely the cited information, along with any other information, in reaching a determination concerning the patentability of the present claims;
2. The enclosed form PTO-1449 be signed by the Examiner to evidence that the cited information has been fully considered by the Patent and Trademark Office during the examination of this application;
3. The citations for the information be printed on any patent which issues from this application.

By submitting this Information Disclosure Statement, the Applicant makes no representation that a search has been performed, of the extent of any search performed, or that more relevant information does not exist.

By submitting this Information Disclosure Statement, the Applicant makes no representation that the information cited in the Statement is, or is considered to be, material to patentability as defined in 37 C.F.R. §1.56(b).

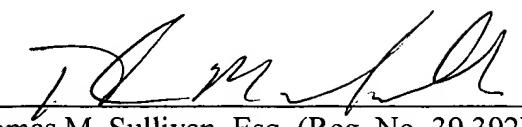
By submitting this Information Disclosure Statement, the Applicant makes no representation that the information cited in the Statement is, or is considered to be, in fact, prior art as defined by 35 U.S.C. §102.

Notwithstanding any statements by the Applicant, the Examiner is urged to form his own conclusion regarding the relevance of the cited information.

Applicant: Shintaro Asano  
U.S.S.N.: 09/802,093

An early and favorable action is hereby requested.

Respectfully submitted,  
Shintaro Asano, *Applicant*

By: 

Thomas M. Sullivan, Esq. (Reg. No. 39,392)  
LOWRIE, LANDO & ANASTASI, LLP  
Riverfront Office Park  
One Main Street  
Cambridge, MA 02142  
Tel.: (617) 395-7024  
Fax: (617) 395-7070

Date: December 23, 2003  
Attorney Docket No.: C2003-700110